

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

Your Committee on **Veterans Affairs and Public Safety**, to which was referred Senate Bill 269, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, delete lines 1 through 15, begin a new paragraph and insert:
- 2 "SECTION 1. IC 10-14-3-28 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 28. (a) The general
- 4 assembly may appropriate the sums necessary to administer this
- 5 chapter.
- 6 (b) The emergency management contingency fund is established.
- 7 The fund consists of money appropriated by the general assembly.
- 8 Money in the fund must be held in reserve and allocated for emergency
- 9 management purposes **as follows:**
- 10 **(1) For an allocation of not more than one hundred thousand**
- 11 **dollars (\$100,000), upon the approval of the director and the**
- 12 **budget director.**
- 13 **(2) For an allocation of more than one hundred thousand**
- 14 **dollars (\$100,000), upon ~~(1)~~ the recommendation of the director**
- 15 **and ~~(2)~~ the approval of the governor. and the budget committee.**
- 16 **(c) In the event that funding under subsection (b)(2) is used, the**

1 **agency shall submit an after action report to the budget committee**
 2 **identifying the use of the funds.**

3 SECTION 2. IC 10-14-4-6, AS AMENDED BY P.L.57-2008,
 4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2009]: Sec. 6. Subject to the restrictions under this chapter,
 6 the agency may use money in the fund to provide financial assistance
 7 as follows:

8 (1) To an eligible entity that:

9 (A) is not an individual;

10 (B) contains territory for which a disaster emergency has been
 11 declared by the governor;

12 (C) has suffered damage to the entity's public facilities because
 13 of the disaster for which the disaster emergency was declared;

14 (D) has applied to the department for financial assistance in
 15 the form of a grant; and

16 (E) complies with all other requirements established by the
 17 agency.

18 (2) To an eligible entity:

19 (A) who is an individual;

20 (B) whose primary residence is located in territory for which:

21 ~~(i) the governor declares a disaster emergency; or~~

22 ~~(ii) (i) the United States Small Business Administration~~
 23 ~~declares a disaster; and~~

24 **(ii) there has been no disaster declaration issued by the**
 25 **President of the United States;**

26 (C) who has suffered damage to the entity's primary residence
 27 or individual property because of a disaster described in clause

28 (B); and

29 (D) who complies with all other requirements established by
 30 the agency."

31 Page 2, delete lines 18 through 23, begin a new paragraph and
 32 insert:

33 **"(e) A voting member may appoint a designee of the same**
 34 **political party as the voting member to act on the voting member's**
 35 **behalf under this chapter. The designee must reside in the same**
 36 **congressional district as the voting member. An appointment**
 37 **under this section must:**

38 **(1) be for one (1) specified meeting;**

1 **(2) be made in writing or electronic mail submitted to the**
 2 **foundation at least two (2) calendar days before the meeting**
 3 **that the designee attends on behalf of the member; and**
 4 **(3) be maintained in the permanent records of the**
 5 **foundation.".**

6 Page 2, between lines 30 and 31, begin a new paragraph and insert:

7 "SECTION 5. IC 10-19-8-2, AS AMENDED BY P.L.120-2008,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2009]: Sec. 2. (a) The council consists of the following
 10 members:

- 11 (1) The lieutenant governor.
- 12 (2) The executive director.
- 13 (3) The superintendent of the state police department.
- 14 (4) The adjutant general.
- 15 (5) The state health commissioner.
- 16 (6) The commissioner of the department of environmental
- 17 management.
- 18 (7) The director of the Indiana state department of agriculture.
- 19 (8) The chairman of the Indiana utility regulatory commission.
- 20 (9) The commissioner of the Indiana department of transportation.
- 21 (10) The executive director of the Indiana criminal justice
- 22 institute.
- 23 (11) The commissioner of the bureau of motor vehicles.
- 24 (12) A local law enforcement officer or a member of the law
- 25 enforcement training academy appointed by the governor.
- 26 (13) The speaker of the house of representatives or the speaker's
- 27 designee.
- 28 (14) The president pro tempore of the senate or the president pro
- 29 tempore's designee.
- 30 (15) The chief justice of the supreme court.
- 31 (16) The director of the department of natural resources or, if
- 32 designated by the director, the deputy director who manages the
- 33 bureau of law enforcement and administration.
- 34 (17) The state veterinarian.
- 35 **(18) The minority leader of the house of representatives or the**
- 36 **minority leader's designee.**
- 37 **(19) The minority leader of the senate or the minority leader's**
- 38 **designee.**

1 **(20) The chief information officer of the office of technology.**

2 (b) The members of the council under subsection (a)(13), (a)(14),
3 ~~and~~ (a)(15), **(a)(18), and (a)(19)** are nonvoting members.

4 (c) Representatives of the United States Department of Justice may
5 serve as members of the council as the council and the Department of
6 Justice may determine. Any representatives of the Department of
7 Justice serve as nonvoting members of the council."

8 Page 3, delete lines 16 through 17, begin a new line block indented
9 and insert:

10 **"(1) be made in writing or electronic mail;**

11 **(2) be for one (1) specified meeting; and"**

12 Page 3, line 19, delete "first".

13 Page 4, between lines 17 and 18, begin a new paragraph and insert:

14 "SECTION 8. IC 22-12-6-2 IS REPEALED [EFFECTIVE JULY 1,
15 2009]."

16 Page 4, after line 26, begin a new paragraph and insert:

17 "SECTION 10. [EFFECTIVE UPON PASSAGE] **(a) The**
18 **department of homeland security may adopt emergency rules to**
19 **implement IC 10-14-4-6, as amended by this act, in the manner**
20 **provided for the adoption of emergency rules under IC 4-22-2-37.1.**

21 **(b) An emergency rule adopted under this SECTION expires on**
22 **the earlier of:**

23 **(1) the date the department of homeland security adopts**
24 **permanent rules under IC 4-22-2 to replace the emergency**
25 **rules; or**

26 **(2) July 1, 2011.**

27 **(c) This SECTION expires July 1, 2011.**

28 SECTION 11. [EFFECTIVE UPON PASSAGE] **(a) On July 1,**
29 **2009, all funds in the statewide arson investigation financial**
30 **assistance fund established by IC 22-12-6-2 (repealed by this act)**
31 **are transferred to the fire and building services fund established by**
32 **IC 22-12-6-1.**

- 1 **(b) This SECTION expires January 1, 2010.**
- 2 **SECTION 12. An emergency is declared by this act."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to SB 269 as reprinted January 27, 2009.)

and when so amended that said bill do pass.

Representative Tinch